

BRESLOW v. GLEESON et al

CASE #: 2:21-cv-04703

Objection to MOTION to Strike MOTION for Default Judgment against or Alternatively, Response in Opposition to Plaintiff's Motion for Default Judgment filed by ALOYSIUS E. GLEESON, TOPE LALA, WILLIAM MCCOLLEY, GEOFF MIRKIN, SOLAR ENERGY WORLD, LLC.

1. All of the defendants above were properly served via certified mail as I was advised by the clerk of the court was permissible by Pro Se plaintiffs. The defendants were served with a full copy of the complaint that acted as a summons to respond to the court.
2. There was no need to clarify under Federal Rule of Civil Procedure military service or competency of those served given that the defendants or active officers of the LLC also named in the suit. This by definition means that they are not simultaneously on active military service as defined under Federal Rule of Civil Procedure and additionally if they were not mentally competent, they would not be officers of the LLC. If they weren't competent, they wouldn't be officers and they would have divested their interest in the LLC or transferred it to some sort of trust or conservatorship. This is not the case as the facts are known to the plaintiff.
3. The reason that the defendants were not served properly was that it was unclear to me is the defendant as to who was legal representation in this case for the defendants. The initial motion for extension was filed by different attorneys then are currently making motions on behalf of the defendants. Additionally, as the defendants' counsel points out they were informed via the court's digital platform. My errors were not so deficient as to totally negate the fact that the defendants did not answer in a timely fashion.
4. I humbly ask the court to grant the motion for default judgment given that the defendants had enough time to respond and that despite errors (which are understandable given that I am a Pro Se plaintiff) sufficient facts exist to grant a default judgment.

Respectfully submitted,

Jordan Breslow